

K&L GATES

October 30, 2024

**By ECF**

The Honorable Gregory H. Woods  
United States District Court  
for the Southern District of New York  
Daniel Patrick Moynihan United States  
Courthouse  
500 Pearl Street, Room 2260  
New York, NY 10007

**Re: USA v. Kostin, et al., Case No. 24-cr-00091-GHW**

Dear Judge Woods:

On behalf of Defendant Vadim Wolfson, and with the concurrence of the United States Attorney's Office and Pretrial Services, I write to request a modification of Mr. Wolfson's conditions of release to remove the requirement to wear a GPS tracking device and to lift his curfew. In lieu of such a device and a curfew, Mr. Wolfson proposes to use BI SmartLINK, a mobile app-based system that allows for location-based monitoring and biometric authentication, to check in once a day with Pretrial Services.

The undersigned conferred with Pretrial Services in both the Southern District of New York and the Central District of California, where Mr. Wolfson currently resides, and the prosecution team, and all parties indicated that they consent to the relief sought, specifically the removal of the device, the lifting of the curfew, and the use of BI SmartLINK for daily check-ins. Pretrial Services for the Central District of California specifically requested the lifting of the curfew in the event that monitoring is done using SmartLINK.

This relief is appropriate because Mr. Wolfson has, from the outset of the investigation (long before any charges were brought), demonstrated a desire to remain in the United States to defend himself and prove his innocence. He has surrendered his passports and has remained in compliance with the conditions of his release, as reflected by Pretrial Services' support for this motion.

Additionally, Mr. Wolfson has submitted to Pretrial Services and the United States Attorney's Office a detailed letter from his physician, the Director of the Spine Institute at Cedar Sinai Medical Center, attesting that the device has exacerbated preexisting medical conditions and that

surgery may be required absent prompt removal. Mr. Wolfson can file a copy of this letter under seal if the Court desires.

Respectfully submitted,

/s/ David Rybicki

David Rybicki

*Counsel for Vadim Wolfson*

CC: Counsel of record (by ECF) and Pretrial Services (by email)